

INTERNATIONAL MILITARY TRIBUNAL
FOR THE FAR EAST

- 1 -

THE UNITED STATES OF AMERICA, et al

- vs -

ARAKI, Sadao, et al

- Defendants -

REQUEST FOR PRODUCTION OF WITNESSES

1. NOW COMES DOHIHARA, Kenji and respectfully requests the Tribunal, in accordance with Article 9 (e) of the Charter and the Order of the Tribunal dated at Tokyo, Japan, 24 October 1946, bearing Paper No. 492, to order the production of the following witnesses necessary to his defense:

A. Major General SENDA, Moritoshi;

- (a) The nationality of the witness is Japanese;
- (b) He was Commander of the 81st Division, Compound and Independent Corps, Changsha, China, at the end of the war and it is believed he is still there as a prisoner of war of the Chinese.
- (c) This witness was associated with the accused in arranging the agreement between him and Chin Te-chun and Sung Che-yuan, relating to the establishment of the Hopei Political Committee and his other activities in the North China area.
- (d) The testimony of this witness to the defense of the accused is believed to be relevant and is principally concerned with Counts Nos. 18 and 19 of the Indictment.

B. Gendarme Colonel MORIKI, Goro;

- (a) The nationality of the witness is Japanese;
- (b) He was the Gendarme Colonel of the Prison for War Criminals, 11th District, Peking, China at the end of the war and it is believed he is still there as a prisoner of war of the Chinese.
- (c) The facts to be proved by the witness relate to the testimony of Henry Pu-yi, who was a witness in this proceeding. This witness was an associate of the accused during the negotiations with said Pu-yi and is familiar with the facts and circumstances relating thereto.
- (d) The testimony of this witness is believed to be relevant and specifically is concerned with Counts 18 and 19 of the Indictment.

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- C. Lieutenant General MUIRA, Chujiro;
- (a) The nationality of the witness is Japanese;
 - (b) He was Commander of the 69th Division, Unjo, China at the end of the war and it is believed he is still there as a prisoner of war of the Chinese.
 - (c) The facts to be proved by this witness relate to the testimony of Henry Pu-yi, who was a witness in this proceeding. This witness also was an associate of the accused during the negotiations with said Pu-yi and is familiar with the facts and circumstances relating thereto.
 - (d) The testimony of this witness is believed to be relevant and specifically is concerned with Counts Nos. 18 and 19 of the Indictment.
- D. Lieutenant General TAKAHASHI, Tan;
- (a) The nationality of the witness is Japanese;
 - (b) He was the Chief of Staff of the North China Army at the end of the war and it is believed he is still in China as a prisoner of war of the Chinese.
 - (c) The facts to be proved by this witness relate to the testimony of Henry Pu-yi, who was a witness in this proceeding. This witness was an associate of the accused during the negotiations with said Pu-yi and is familiar with the facts and circumstances relating thereto.
 - (d) The testimony of this witness is believed to be relevant and specifically is concerned with Counts Nos. 18 and 19 of the Indictment.
- E. Major General MIYAZAKI, Shigesaburo;
- (a) The nationality of the witness is Japanese;
 - (b) He was Commander of the 54th Division, Burma at the end of the war and it is believed he is still there as a prisoner of war of the British.
 - (c) The facts to be proved by this witness relate to the testimony of John Powell, who was a witness in this proceeding, concerning the negotiations of the accused with Ma Chan-shan. This witness is familiar with the facts and circumstances relating thereto.
 - (d) The testimony of this witness is believed to be relevant and specifically is concerned with Counts Nos. 18 and 19 of the Indictment.
- F. Lieutenant General NAKAMURA, Hajime;
- (a) The nationality of the witness is Japanese;

- (b) He served under the accused during the North China campaign and is at present believed to be in Japan but his present address is unknown although it is under investigation.
- (c) The facts to be proved by this witness relate to the North China campaign and other activities of the accused in China in 1943.
- (d) The testimony of this witness is believed to be relevant and is principally concerned with Counts Nos. 18 and 19 of the Indictment.

G. Lieutenant Colonel MINEMORI, Shutaro;

- (a) The nationality of the witness is Japanese;
- (b) He served under the accused during the North China campaign and is at present believed to be in Japan. His present address is unknown but it is under investigation.
- (c) The facts to be proved by this witness relate to the North China campaign and other activities of the accused in China in 1943.
- (d) The testimony of this witness is believed to be relevant and is principally concerned with Counts Nos. 18 and 19 of the Indictment.

H. Lieutenant General HARA, Mamoru;

- (a) The nationality of the witness is Japanese;
- (b) He served as subordinate officer under the accused when the accused was the Inspector General of Military Training, and at present is believed to be in Japan. His present address is unknown but it is under investigation.
- (c) The testimony of this witness will be principally concerned with the activities of the accused while he was Inspector General of Military Training.
- (d) The testimony of this witness is believed to be relevant and is specifically concerned with Counts 18 and 19 of the Indictment.

I. Major General TAKAHASHI, Tatsuhiko;

- (a) The nationality of the witness is Japanese;
- (b) He was Chief of Staff under the accused when the accused was Commander-in-Chief of the Eastern Army and is believed to be in Japan. His present address is unknown but it is under investigation.
- (c) The testimony of this witness will be principally concerned with the responsibility of the accused for supervision of prisoners of war coming under his jurisdiction.

- (d) The testimony of this witness is believed to be relevant and is specifically concerned with Counts Nos. 53, 54 and 55 of the Indictment.

J. Major General YAMAZAKI, Masso;

- (a) The nationality of the witness is Japanese;
- (b) He was Senior Staff Officer of the Eastern Army and served under the accused when the accused was Commander-in-Chief of the Eastern Army, and is believed to be in Japan. His present address is unknown although it is under investigation.
- (c) The facts to be proved by this witness relate principally to the responsibility of the accused for supervision of prisoners of war coming under his jurisdiction.
- (d) The testimony of this witness is believed to be relevant and is specifically concerned with Counts Nos. 53, 54 and 55 of the Indictment.

K. Lieutenant General HASHIMOTO, Gun;

- (a) The nationality of the witness is Japanese;
- (b) He was Chief of Staff of the First Army during 1937 and 1938 and served under the accused when the accused was Commander-in-Chief of said First Army. He is believed to be in Japan but his present address is unknown although it is under investigation.
- (c) The testimony of this witness will relate to the activities of the accused in China during the aforementioned period when the accused was Commander-in-Chief of the First Army.
- (d) The testimony of this witness is believed to be relevant and is specifically concerned with Counts Nos. 18 and 19 of the Indictment.

L. Lieutenant General YAHAGI, Nakao;

- (a) The nationality of the witness is Japanese.
- (b) He served as Chief of Staff of the Japanese Army in Burma at the end of the war and is believed to be still there, as a prisoner of war of the British.
- (c) The testimony of this witness will relate to the activities of the accused while the accused was Chief of the Special Service Branch of the Kwantung Army in Mukden during 1935. The witness was the assistant to the accused during the aforesaid period and is familiar with the activities of the accused while he served in such capacity.
- (d) The testimony of this witness is believed to be relevant and is specifically concerned with Counts Nos. 18 and 19 of the Indictment.

M. Colonel SUZUKI, Kunji;

- (a) The nationality of the witness is Japanese;
- (b) He is at present in custody at Sugamo Prison, Tokyo, Japan.
- (c) The testimony of this witness will relate to the treatment of prisoners of war while the accused was Commander-in-Chief of the Eastern Army during 1933 and 1934. This witness served as subordinate officer under the accused during the aforesaid period.
- (d) The testimony of this witness is believed to be relevant and is specifically concerned with Count No. 53 of the Indictment.

N. Lieutenant General AYABE, Kitsujyu;

- (a) The nationality of the witness is Japanese;
- (b) He was Lieutenant General in the Japanese Army and at the end of the war was in Singapore and it is believed he is still there, a prisoner of war of the British.
- (c) This witness served under the accused during the period of 1944 and 1945 while the accused was Commander-in-Chief of the Seventh Army, and the testimony will relate principally to the treatment of prisoners of war coming under his jurisdiction during the aforesaid period.
- (d) The testimony of this witness is believed to be relevant and is specifically concerned with Count No. 53.

O. Lieutenant General TAZAKA, Senichi;

- (a) The nationality of the witness is Japanese;
- (b) He was Lieutenant General in the Japanese Army and at the end of the war was in Singapore and it is believed he is still there, as a prisoner of war of the British.
- (c) This witness served under the accused during the period of 1944 and 1945 while the accused was Commander-in-Chief of the Seventh Army, and the testimony will relate principally to the treatment of prisoners of war coming under his jurisdiction during the aforesaid period.
- (d) The testimony of this witness is believed to be relevant and is specifically concerned with Count No. 53.

P. Lieutenant General IMAI, Takeo;

- (a) The nationality of the witness is Japanese;
- (b) He was Chief of the Liaison Bureau in Nanking, China at the end of the war and it is believed he is still there as a prisoner of war of the Chinese;
- (c) This witness served under the accused while the accused was engaged in activities in North China and the testimony of this witness will be principally concerned with the establishment of the Autonomous Area in North China, about which the Prosecution has already introduced evidence against the accused.
- (d) The testimony of this witness is believed to be relevant and is specifically concerned with Count No. 19, of the Indictment.

Q. General NISHIO, Juzo;

- (a) The nationality of the witness is Japanese;
- (b) He is at present in custody at Sugamo Prison, Tokyo, Japan.
- (c) This witness served as Supreme War Councillor during the period that the accused served in a similar capacity. The testimony of the witness will be principally concerned with the activities of the accused during the period he served in such capacity.
- (d) The testimony of this witness is believed to be relevant and is specifically concerned with Count No. 20 of the Indictment.

R. General MINAMI, Jiro;

- (a) The nationality of the witness is Japanese;
- (b) He is at present in custody at Sugamo Prison, Tokyo, Japan and is one of the accused in this trial.
- (c) This witness was Minister of War and also Commander-in-Chief of the Kwantung Army. The accused DOHIMARA served under this witness, who is therefore able to testify to many activities involving this accused, as well as to the witness himself.
- (d) The testimony of this witness is believed to be relevant and is specifically concerned with Counts Nos. 1 to 17, inclusive, of the Indictment.

S. General ITAGAKI, Seishiro;

- (a) The nationality of the witness is Japanese;
- (b) He is at present in custody at Sugamo Prison, Tokyo, Japan and is one of the accused in this trial.

- (c) This witness was an associate of the accused DOHIHARA and served as Chief of Staff of the Kwantung Army while the accused DOHIHARA was in service with the Kwantung Army.
- (d) The testimony of this witness is believed to be relevant and is specifically concerned with Counts Nos. 1 to 17 inclusive of the Indictment.

T. General UMEZU, Yoshiji;ro;

- (a) The nationality of the witness is Japanese;
- (b) He is at present in custody at Sugamo Prison, Tokyo, Japan and is one of the accused in this trial;
- (c) The accused DOHIHARA served under this witness while said witness was Chief of Staff of Japanese Army Headquarters and therefore is familiar with the activities of the accused DOHIHARA throughout most of the period of the Indictment.
- (d) The testimony of this witness is believed to be relevant and is specifically concerned with Counts Nos. 27 to 31 inclusive, 33, 34, 37 to 44 inclusive of the Indictment.

U. Lieutenant General ISOGAI, Rensuke;

- (a) The nationality of the witness is Japanese;
- (b) He is at present in custody at Sugamo Prison, Tokyo, Japan.
- (c) This witness has been associated with the accused DOHIHARA since his days in the Army Officers' School and is familiar with the activities of the accused in relation to the Changkufeng and Nomonhan Incidents, as well as the activities of the accused in North and Middle China during 1938 and 1939.
- (d) The testimony of this witness is believed to be relevant and is specifically concerned with Counts Nos. 25, 26, 35, 36, 51 and 52 of the Indictment.

V. KUWASHIMA, Kazue;

- (a) The nationality of the witness is Japanese;
- (b) He is presently located in Tokyo, Japan.
- (c) This witness was often mentioned in many of the exhibits already introduced as evidence in this case dealing with the negotiations between the accused and Henry Pu-yi. This witness was Japanese Consul General in Tientsin, China, and can testify to the activities of the accused concerning which said Pu-yi has already testified, as well as explain many of the documents already introduced as evidence in this case.
- (d) The testimony of this witness is believed to be relevant and is specifically concerned with Counts Nos. 18 and 19 of this Indictment.

2. The date upon which attendance of the witnesses will be required for testifying cannot be stated accurately, but their attendance for consultation with counsel is required forthwith.

3. For such other and further relief in the premises as may seem meet and just.

Dated, Tokyo, Japan
4 November 1946

DOHIHARA, Kenji

by

OHATA, Kinjiro